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February 7, 2020

BY ECF

Hon. Vernon S. Broderick
U.S. District Judge, Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Room 415
New York, NY 10007

APPLICATION GRANTED

SO ORDERED

VERNON S. BRODERICK

U.S.D.J. 2/11/2020

The proposed briefing schedule is adopted.

Re: Alfred Del Rio, et ano v. McCabe Weisberg & Conway, P.C., et al.
No. 1:19-cv-10312-VSB
Request to Approve Briefing Schedule

Dear Judge Broderick:

We represent New Rez LLC d/b/a Shellpoint Mortgage Servicing (**Shellpoint**) and The Bank of New York Mellon f/k/a The Bank of New York, as trustee for the Certificateholders of CWALT Inc., Alternative Loan Trust 2007-11T1, Mortgage Pass-Through Certificates, Series 2007-11T1 (**BoNYM**), two of the defendants in the above-referenced case. Shellpoint, BoNYM, and, separately, co-defendant McCabe Weisberg & Conway, P.C. (**McCabe**) moved to dismiss the plaintiffs' complaint in response to which the Del Rios responded by filing an amended complaint on January 29, 2020. ECF Docket No. 34. Our clients and McCabe both intend to file motions to dismiss and to strike class allegations. In consultation with counsel for all parties, specifically Andreas Christou, Esq., for plaintiffs and Candidus Dougherty, Esq., for McCabe, I respectfully write to request a brief extension of time to serve and file a motion to dismiss the complaint and strike class allegations, and to propose a briefing schedule.

The reason for this request is that defense counsel require a few more days to complete draft briefs for the contemplated motions. Responses to the amended complaint are currently due on February 12, 2020—the requested extension is less than a week. Counsel have conferred and agreed jointly to propose the following briefing schedule for the motion:

- Defendants' motions to dismiss to be served and filed on or before February 18, 2020
- Plaintiff's opposition to be served and filed on or before March 13, 2020
- Defendants' reply papers to be served and filed on or before March 27, 2020

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For the above reasons, we respectfully request the Court briefly extend all defendants' time to respond to the complaint and approve the jointly agreed briefing schedule for defendants' motions to dismiss.

Thank you for your consideration of these requests.

Respectfully,

/s/ Jordan M. Smith

Jordan M. Smith

cc: Andreas Christou, Esq. (by ECF)
Candidus Dougherty, Esq. (by ECF)